

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PETER J. SMITH, )  
                        )  
Plaintiff,         )  
                        )  
v.                    )     CASE NO. 2:22-CV-441-WKW  
                        )     [WO]  
RSA TOWER, DONALD TERRY )  
AND ASSOCIATES, and RSA )  
REGIONS BANK TOWER,    )  
                        )  
Defendants.         )

**ORDER**

Before the court is the Recommendation of the Magistrate Judge (Doc. # 9) to which Plaintiff has filed an Objection (Doc. # 10). Based upon a *de novo* review of the record, 28 U.S.C. § 636(b), the court finds that the Objection lacks merit. Accordingly, it is ORDERED as follows:

- (1) Plaintiff's Objection (Doc. # 10) is OVERRULED.
- (2) The Recommendation (Doc. # 9) is ADOPTED.
- (3) This action is DISMISSED without prejudice.

Final judgment will be entered separately.

DONE this 31st day of May, 2023.

/s/ W. Keith Watkins

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UNITED STATES DISTRICT JUDGE